

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

PACTIV CORPORATION, NEWSPRING
INDUSTRIAL CORPORATION, and
NEWSPRING CANADA, INC.,

Plaintiffs,

v.

PERK-UP, INC. D/B/A KARI-OUT, INC.,
TRIPAK INDUSTRIAL USA, LLC, TRIPAK
INDUSTRIAL CORPORATION, IZON
INDUSTRIES, INC., 52 GREEN POND ROAD,
LLC, 1460 CHESTNUT ASSOCIATES, LLC,
690 UNION BLVD. ASSOCIATES, LLC,
HOWARD EPSTEIN, DAVID EPSTEIN,
ADAM EPSTEIN, PAUL EPSTEIN, and
GREGORY COLACITTI,

Defendants.

Civ. No. 2:08-cv-5072-(DMC) (CCC)

STIPULATION OF DISMISSAL

Plaintiffs, Pactiv Corporation, Newspring Industrial Corporation, and Newspring Canada, Inc., (collectively, "PACTIV"), and Defendants, Perk-Up, Inc. D/B/A Karl-Out Co., Tripak Industrial USA, LLC, Tripak Industrial Corporation, IZON Industries, Inc., 52 Green Pond Road, LLC, 1460 Chestnut Associates, LLC, 690 Union Blvd. Associates, LLC, Howard Epstein, David Epstein, Adam Epstein, Paul Epstein, and Gregory Colacitti, ("DEFENDANTS"), hereby stipulate and agree to dismiss with prejudice, subject to the terms of their settlement, any and all claims of PACTIV against DEFENDANTS and any and all defenses of PACTIV and any and all counterclaims and defenses of DEFENDANTS in this action. PACTIV and DEFENDANTS agree to bear their own costs and attorneys' fees.

8/23
Dated: July 2010

For Plaintiffs:

[Signature]
David E. De Lorenzi
GIBBONS P.C.
One Gateway Center
Newark, New Jersey 07102
973-596-4500

Attorneys for Plaintiffs

8/25/10

SO ORDERED:

[Signature]
DENNIS M. CAVANAUGH, U.S.D.J.

8/17
Dated: July 17, 2010

For Defendant Izon Industries, Inc.:

Louis J. Lamatina
The Law Office of Louis Lamatina
South 105 Fairview Avenue
Paramus, New Jersey 07652
201-291-1122

Attorney for Defendant Izon Industries, Inc.

8/23
Dated: July 23, 2010

For All Defendants Except
Izon Industries, Inc.:

Peter N. Wang
Peter N. Wang
Foley & Lardner LLP
90 Park Avenue
New York, NY 10016-1314
212-682-7474

Attorneys for All Defendants Except Izon Industries, Inc.